

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 24-mc-50459

ANTHONY FOSTER,

Honorable Nancy G. Edmunds

Defendant,

and

JAQUAN D. SHAMLEY,

Claimant.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S
NOVEMBER 14, 2024 REPORT AND RECOMMENDATION [8]**

Claimant JaQuan D. Shamley initiated this miscellaneous action by filing a petition for the return of property forfeited to the United States from Defendant Anthony Foster in a related criminal proceeding (case no. 22-20267). (ECF No. 1.) The government moves to dismiss the petition. (ECF No. 6.) Both motions have been referred to Magistrate Judge Elizabeth A. Stafford. (ECF Nos. 4, 7.) Before the Court is the Magistrate Judge's report and recommendation to grant the government's motion to dismiss and to dismiss the petition for the return of property. (ECF No. 8.) No party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." See *Hall v. Rawal*, No. 09-10933, 2012 U.S. Dist. LEXIS 120541, at *2 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Nonetheless, the Court has reviewed the matter and agrees with the Magistrate Judge. Thus, the Court ACCEPTS AND ADOPTS the Magistrate Judge's report and

recommendation (ECF No. 8). Accordingly, the Court GRANTS the government's motion to dismiss (ECF No. 6) and DISMISSES Claimant's petition for the return of property (ECF No. 1).

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: May 27, 2025

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 27, 2025, by electronic and/or ordinary mail.

s/Marlena Williams
Case Manager